IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

WP(C).No. 13816 of 2007(T)

PETITIONER:

BIJU THOMAS,MUHUVANCHERIL HOUSE,
MUNNILAVU P.O.,KOTTAYAM DISTRICT.

BY ADV. SRI.DINESH R.SHENOY

RESPONDENTS:

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1. THE MUNNILAVU GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
MUNNILAVU,KOTTAYAM DISTRICT.

2. THE PRESIDENT,MUNNILAVU GRAMA PANCHAYATH
MUNNILAVU,KOTTAYAM DISTRICT.

3. V.A.BIJIN, S/O.V.K.AYYAPPAN,
VARIYAKKAMAKKAL VEEDU,MUNNILAVU P.O.,
MEENACHIL TALUK,KOTTAYAM DISTRICT.

4. THE MEDICAL OFFICER IN CHARGE,
PRIMARY HEALTH CENTRE,EDAMARUKU.

BY ADV. SRI.S.RAJEEV
SRI.GEORGEKUTTY MATHEW
R4 BY GOVT. PLEADER SRI. P.K. RAVISANKAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 13816/07.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE PHOTOCOPY OF THRE SANITARY CERTIFICATE NO. 4108/2002 DATED 17.10.2002 ISSUED BY THE HEALTH INSPECTOR, PRIMARY HEALTH CENTRE, EDAMARUKU.

EXT. P2 : TRUE PHOTOCOPPY OF THE NO OBJECTION CERTIFICATE DATED 20.8.2006 ISSUED BY THE GIVE NEIGHBOURS.

EXT. P3 : TRUE PHOTOCOPY OF THE INSPECTION REPORT DATED 26.8.2006 SUBMITTED BY THE PRRESIDENT OF MUNNILAVU GRAMA PANCHAYAT.

EXT. P4 : TRUE PHOTO COPY OF THE REPORT SUBMITTED BY T.D. JOSEPH, HEAD CLERK DATED 30.9.2006.

EXT. P5 : TRUE PHOTO COPY OF RESOLUTION NO.13 DATED 17.10.2006 ADOPTED BY THE MUNNILAVU GRAMA PANCHAYATH.

EXT. P6 : TRUE PHOTO COPY OF THE REPORT DATED 1.11.2006 SUBMITTED BY THE PANCHAYATH COMMITTEE.

EXT. P7 : TRUE PHOTO COPY OF NO OBJECTION NO.461/2006 DATED 14.11.2006 ISSUED BY THE MEDICAL OFFICER IN CHARGE, PRIMARY HEALTH CENTRE, EDAMARUKU.

EXT. P8 : TRUE PHOTO COPY OF THE COMPLAINT IN O.P. NO.784/2006 BEFORE THE OMBUDSMAN, LOCAL SELF GOVERNMENT INSTITUTIONS.

EXT. P9 : TRUE PHOTO COPYOF THE OBJECTION FILED BY THE PETITIONER DATED 15.3.2007 IN O.P. NO.784/2006 BEFORE THE OMBUDSMAN, LOCAL SELF GOVERNMENT INSTITUTIONS.

EXT. P10 : TRUE PHOTO COPY OF THE ORDER DATED 12.4.2007 PASSED IN O.P. NO.784/2006, OMBUDSMAN, LOCAL SELF GOVERNMENT INSTITUTIONS.

K.M.JOSEPH, J.

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WP.(C) No.13816 of 2007

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Dated this the 28th day of May, 2007

JUDGMENT

Petitioner challenges Ext.P10. By an interim order this court ordered notice by special messenger and further directed that the Ombudsman shall pass fresh orders considering the objection of the petitioner.

2. Heard counsel appearing for the petitioner, counsel appearing for respondents 1, 2 and 3 and Government Pleader appearing on behalf of respondent No.4. In the light of the interim order passed, the writ petition can be disposed of as follows:

The parties will appear before the Ombudsman on 31.5.2007. The first respondent shall proceed to consider the objection of the petitioner and pass appropriate orders in accordance with law.

(K.M. JOSEPH, JUDGE)

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